



OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

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BRUCE E. BABBITT
ATTORNEY GENERAL

R75-28
McDougal

August 27, 1975

Suzanne Dandoy, M.D., M.P.H.
Acting Director
Department of Health Services
1740 West Adams
Phoenix, Arizona 85007

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ARIZONA ATTORNEY GENERAL

Dear Doctor Dandoy:

By transmittal of a letter dated January 30, 1975 from Ernest C. Siegfried, M.D., Superintendent, Arizona Pioneers' Home, you have requested an opinion of this office concerning the propriety of utilizing Disabled Miners' Hospital Endowment funds to assist in the support of the facility jointly used for Arizona Pioneers' Home and the Hospital for Disabled Miners.

Although it is clear that monies in the Disabled Miners' Hospital Fund may not be transferred to any other fund or used for any object other than that for which the fund was established, we are currently unable to provide definitive guidance for the proper allocation of monies from this fund to support the operating budget of the Pioneer's Home. Our research discloses that several of the legal issues which must be resolved in order to respond to your request are currently being litigated in a suit involving the proper use of New Mexico's Disabled Miners' Hospital Fund. The New Mexico case is now on appeal in the 10th Circuit Court of Appeals. As soon as that case is resolved you will be advised.

If at that time your question is still pertinent, we will be glad to respond to your request.

Very truly yours,

BRUCE E. BABBITT
Attorney General

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